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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,846	02/22/2002	Shinji Uchida	00862.022569	7544

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EXAMINER

MOHANDESI, IRAJ A

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 05/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/079,846

Applicant(s)

UCHIDA, SHINJI

Examiner

Iraj A Mohandesi

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Feb. 10, 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-19 is/are pending in the application.
- 4a) Of the above claim(s) 10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Feb 10,2003 is acknowledged.

The traversal is on the ground that In the instant case the product can be made by different method of manufacturing the linear motor, such as inserting all magnets at same time by a robotic assembly machine. This is not found persuasive because method of making an apparatus by positioning at least one of a substrate and master on an exposure apparatus by controlling a stage apparatus can be used to produce of any type of magnet imbedded stator or rotor for electrical machine equipped with plurality of magnets.

1. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper. Because these inventions are distinct for the reasons given above and the search required for group (I) is not required for group (II), restriction for examination purposes as indicated is proper.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 11-19** are rejected under 35 U.S.C. 102(b) as being anticipated by **Kamata US Patent 6,025,658.**

Kamata 658 discloses a linear motor comprising, first magnets arrayed such that polarization directions thereof are periodically opposite (1a,1b,1c,1d,1e,1f, Fig. 1), second magnets arrayed adjacent to said first magnets such that polarization directions thereof are periodically opposite (2a,2b 2c,2d,2e,2f, Fig.), and an electromagnetic coil (5, column, line 28, Fig. 1))opposing said first and second magnets to generate the Lorenz force by at least said first and second magnets,the second magnets being disposed such that the polarization directions thereof intersect those of said first magnets (Fig.1),wherein the polarization directions of said second magnets intersect the first magnets at an angle substantially 90 degree (1b column 2 line 36, Fig.1)wherein said first and second magnets are rectangular parallelepiped permanent magnets (1a-1f,2a-2f,column 2,line 27 ,Fig.1),wherein said electromagnetic coil comprises at least two electromagnetic coils (coil 5 ,poly phase a plurality of electromagnetic coils column 3,line 49) disposed to oppose said first and second magnets and to be energized simultaneously, wherein either one of said first and second magnets which is disposed at a terminal end has a volume smaller than those of other magnets (6a, Fig 5),also the first and second magnets generate a sine wave magnetic field (column 3 line 60 ,Fig.2).

Response to Arguments

2. Applicant's arguments filed February ,10,2003 have been fully considered but they are not persuasive. **Kamata'658** shows in Fig.1 clearly first magnets arrayed such that polarization directions thereof are periodically opposite (see the elements 1a, 1b, 1c,1d,1e and 1f, in Fig. 1) and all so showing second magnets arrayed adjacent to said

first magnets such that polarization directions are periodically opposite (see the elements 2a,2b 2c, 2d,2e and 2f,in Fig.1), and the electromagnetic coil (5, column, line 28, Fig. 1)opposing the first and second magnets.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

communication

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Iraj A Mohandesi whose telephone number is (703)305-3242. The examiner can normally be reached on M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on 703-308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9314 for regular communications and (703)872-9314 for After Final communications.

Application/Control Number: 10/079,846
Art Unit: 2834

Page 5

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)306-0377.

IM
May 2, 2003



NESTOR RAMIREZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800